

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION

SWIS # 31-AA-0560

BOARD ORDER NO. 6-93-55  
WDID NO. 6A310041000  
UPDATED WASTE DISCHARGE REQUIREMENTS

FOR

EASTERN REGIONAL LANDFILL

Placer County

THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LAHONTAN REGION,  
(BOARD) FINDS:

1. Discharger

The County of Placer owns and Eastern Regional Landfill, Inc. operates the Eastern Regional Landfill. For the purposes of this order, the County of Placer is hereinafter referred to as the "Discharger", Eastern Regional Landfill, Inc. is referred to as the "Operator", and the Eastern Regional Landfill is referred to as the "Landfill".

2. Previous Requirements

The Board previously established waste discharge requirements for the Landfill under Board Order No. 6-84-114, which was adopted on November 9, 1984.

3. Reason for Action

The Board is updating waste discharge requirements at this time to reflect current Board policy and to incorporate provisions of both federal Subtitle D (40 CFR Parts 257 and 258) and Article 5 of Chapter 15 (Title 23, Division 3, Chapter 15 of California Code of Regulations), revised July 1, 1991.

4. Landfill Location

The Landfill is located within Sections 20, 21, 28, and 29, T.17N., R.16E., MDB&M, which is approximately 3 miles south of Truckee, California. The disposal site is located within the Truckee River Hydrologic Unit as shown on Attachment "A", which is made a part of this Order.

5. Landfill Description

The Landfill, which serves the communities on the north and west shores of Lake Tahoe, Truckee, and the vicinity, is currently operated by Eastern Regional Landfill, Inc. as a sanitary landfill. The site has a total area of approximately 292 acres. The portion of the site which is currently permitted for waste disposal comprises approximately 107 acres. It is estimated that the remaining capacity of the site is approximately 1,200,000 cubic yards if the full potential of the site can be engineered and developed.

The cell which is currently utilized for waste disposal is nearing capacity. The Discharger proposes to close the active cell in late 1993 or early 1994, and to open a new waste cell to coincide with closure of the active cell.

The Landfill receives an average of 160 tons per day or 47,000 tons of Non-Hazardous and Inert wastes each year. An additional 20-30 tons of sewage sludge per week from the Tahoe-Truckee Sanitation Agency is currently disposed of at the site. In order for sludge to be able to be disposed of in the future at the landfill, the Chapter 15 requirements discussed in 8., below, will need to be complied with.

6. Site Geology and Hydrology

Surface materials in the northern portion of the site consist of volcanic and granitic boulders and cobbles in a silty to sandy matrix, with abundant moderately weathered granitic boulders on the surface. South of this, and covering the remaining landfill area, the surface material primarily consists of grey andesite porphyry, in clast size ranging from 15 feet to one-quarter inch, with some red andesite and some black basalt. The matrix is clay, silt and sand in varying proportions, with the sandier layers providing an avenue for the movement of ground water through the area. Underlying the surface materials are Tertiary volcanic flows and mudflow breccias throughout the area.

The occurrence of seasonal high ground water is a concern. Ground water depths have been observed to be as shallow as 7'6" beneath the ground surface. Placer County has addressed this problem by constructing a ground water subdrain upgradient of the waste disposal area, and routing ground water around the site, maintaining at least a five foot separation between the bottom of the Landfill cells and the ground water. An ephemeral watercourse runs through the middle of the site in a west to east direction, as shown on Attachment "B" which is made a portion of this Order.

7. Landfill Classification

This disposal site meets the criteria contained in Article 3 of Chapter 15 for classification as a Class III waste management unit (WMU) suitable to receive Non-Hazardous and Inert wastes.

8. Sludge Disposal Considerations

Sludge may be disposed of in a Class III waste management unit provided that certain conditions are met. Specifically, a Class III unit receiving acceptable sludge must be equipped with a leachate collection and removal system (Section 2523(c)(1), Chapter 15). A leachate collection and removal system (LCRS) is defined in Chapter 15 as either:

- a. "A permeable subdrain layer that covers the bottom of the waste management unit and extends as far up the sides as possible, (i.e., blanket-type)....The collection and removal system shall be of sufficient strength and thickness to prevent collapse under the pressures exerted by overlying wastes, waste cover materials, and by any equipment used at the waste management unit"; or
- b. If a Class III landfill has "an artificial liner, and receives only permeable waste that allows free drainage of percolating fluid, a dendritic leachate collection and removal system which underlies less than 100 percent of the waste may be allowed."

The Landfill currently does not comply with the Chapter 15 design/construction requirements for sludge disposal. The LCRS currently in place in the Landfill is dendritic (a branching leachate collection system which does not underlie 100 percent of the waste), and the Landfill is not lined. In order to comply with the Chapter 15 construction requirements to accept sludge, the Landfill must be lined and a blanket type LCRS installed.

9. Leachate Disposal

Leachate from the Landfill is currently collected, stored in a tank during the winter months, and ultimately directed to infiltration trenches on an undeveloped portion of the Landfill site. The leachate has not been analyzed to determine its characteristics. This Order requires that the leachate no longer be discharged to the infiltration trenches. The Monitoring and Reporting Program requires that the leachate be tested to determine the appropriate method of treatment/disposal.

10. Subtitle D Considerations

Pursuant to 40 CFR Parts 257 and 258 (Subtitle D), adopted October 9, 1991, all municipal solid waste landfills (MSWLFs) must meet certain minimum siting, construction, operating, monitoring, and closure requirements by October 9, 1993. Where these requirements differ from Chapter 15, the more stringent requirements apply.

11. Closure Plan

The conceptual closure plan submitted by Placer County indicates that the Landfill will be closed by capping in accordance with Chapter 15 criteria. Provisions of Subtitle D will also need to be met. Post-closure monitoring would be required. The California Integrated Waste Management Board (CIWMB) requires that the Operator submit a preliminary closure and postclosure maintenance plan for review. The Regional Board must approve the closure plan according to the time schedule of Section 18271, Title 14, California Code of Regulations. The Discharger proposes to submit a preliminary closure plan for the active cell in late summer 1993.

12. Financial Assurance

- a. Financial assurance for closure, as required in Section 2580(f), Chapter 15, is not required by the Board because the CIWMB requires a separate closure fund.
- b. Financial assurance will be required by the Board for completing corrective actions of reasonably foreseeable releases, as described in Section 2550.0(b), Chapter 15.

13. Water Quality Protection Standard

Section 2550.2, Chapter 15, requires the Discharger to propose a Water Quality Protection Standard. The Water Quality Protection Standard (WQPS) consists of the list of constituents of concern (those waste constituents that are reasonably expected to be in or derived from the waste contained in the WMU), the allowable concentration limits for each constituent of concern at the site (generally the background level of that constituent), the point of compliance (the monitoring point downgradient of the WMU where all water quality objectives will be met), and all monitoring points at the site. The Discharger has proposed a partial WQPS for the Landfill. Additional sampling will be necessary to complete the WQPS.

14. Water Quality Data Evaluation

The Discharger has proposed the tolerance interval method as the appropriate statistical analysis for inorganic constituents at the site. The Discharger has also proposed that as synthetic organic compounds are not naturally occurring, their (verified) presence in samples from a downgradient monitoring well would be an indication of a release from the Landfill, and no statistical evaluation would be necessary. If any synthetic organic compounds begin occurring upgradient of the site, statistical analysis may become necessary for those compounds.

The Discharger has proposed tolerance intervals for some of the inorganic constituents which occur at each monitoring point. However, due to insufficient data from some of the monitoring points, tolerance intervals have not been calculated for all the constituents at all of the monitoring points. Therefore, the Discharger has proposed to compute tolerance intervals for constituents which do not have tolerance intervals as sufficient data is collected, and to periodically update existing tolerance intervals.

The Discharger has proposed to use each monitoring point as its own background, in that past data from each monitoring point has established a pattern for that monitoring point. This approach has some validity, but does not provide the entire picture. Therefore, the Discharger will be required to compare down-gradient data with up-gradient data, in addition to the proposed monitoring point self-comparisons.

15. Basin Plan

The Board adopted the Water Quality Control Plan for the North Lahontan Basin on June 26, 1975. The Plan was subsequently amended for the Truckee River Hydrologic Unit on June 26, 1980.

16. Beneficial Uses - Ground Water

The beneficial uses of ground waters of the Truckee River Hydrologic Unit, as set forth and defined in the Water Quality Control Plan for the North Lahontan Basin, are:

- a. municipal and domestic supply
- b. agricultural supply
- c. freshwater replenishment

17. Beneficial Uses - Surface Water

A. Minor Streams

The beneficial uses of minor streams of the Truckee River Hydrologic Unit, as set forth and defined in the Water Quality Control Plan for the North Lahontan Basin, are:

- a. agricultural supply
- b. ground water recharge.
- c. water-contact recreation
- d. non-water-contact recreation
- e. cold freshwater habitat
- f. wildlife habitat

B. Truckee River

The beneficial uses of the Truckee River, as set forth and defined in the Water Quality Control Plan for the North Lahontan Basin, are:

- a. municipal and domestic supply
- b. agricultural supply
- c. industrial service supply
- d. hydropower generation
- e. ground water recharge
- f. water-contact recreation
- g. non-water-contact recreation
- h. cold freshwater habitat
- i. wildlife habitat
- j. preservation of rare and endangered species (potential)

18. CEQA Compliance

These updated waste discharge requirements govern an existing facility which the Operator is currently operating. The project consists only of the continued operation of the existing facility and is therefore exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15301, Chapter 3, Title 14 of the California Code of Regulations.

19. Notification of Interested Parties

The Board has notified the Discharger and all known interested agencies and persons of its intent to adopt waste discharge requirements for the project.

20. Consideration of Comments

The Board has, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Discharger shall comply with the following:

I. DISCHARGE SPECIFICATIONS

A. Receiving Water Limitations

- 1. The discharge of surface flows generated within or as a result of operation of the Landfill to receiving waters and/or stormwater conveyance systems shall not cause a violation of the following water quality objectives for waters of the Truckee River Hydrologic Unit:

- a. Color - Surface waters shall not exceed an eight (8) Platinum Cobalt Unit mean of monthly means.

- b. Tastes and Odors - Taste or odor of surface or ground waters shall not be altered.
- c. Floating Material - The concentration of floating material, including solids, liquids, foams, and scum of surface waters shall not be altered to the extent that such alterations are discernable at the 90 percent significance level.
- d. Suspended Solids (Total Nonfilterable Residue)- The concentration of total nonfilterable residue of surface waters shall not be altered to the extent that such alterations are discernable at the 90 percent significance level.
- e. Settleable Material - The concentration of settleable material in surface waters shall not be raised by more than 0.1 milliliter per liter.
- f. Oil and Grease - The concentration of oil, greases, waxes or other materials that result in a visible film or coating on the surface of the water or on objects in the water shall not be altered.
- g. Biostimulatory Substances - The concentration of biostimulatory substances in surface waters shall not be altered in an amount that could produce an increase in aquatic biomass to the extent that such increases in aquatic biomass are discernable at the 90 percent significance level.
- h. Species Composition - The species composition of aquatic organisms in surface waters shall not be altered to the extent that such alterations are discernable at the 90 percent significance level.
- i. Algal Growth Potential - The mean monthly algal growth potential of surface waters shall not be altered to the extent that such alterations are discernable at the 90 percent significance level.
- j. Turbidity - Turbidity levels shall not be altered so as to cause a nuisance or adversely affect the water for beneficial uses. Increases in turbidity of surface waters shall not exceed background levels by more than 10 percent.
- k. pH - The pH of surface waters shall not be depressed below 6.5 nor raised above 8.5. Changes in normal ambient pH levels shall not exceed 0.5 units.

1. Dissolved Oxygen - The dissolved oxygen concentrations of surface waters shall not be depressed by more than 10 percent, below 80 percent saturation or below 7.0 milligrams per liter (mg/l) at any time, whichever is more restrictive.
- m. Bacteria - Surface waters shall not contain concentrations of coliform organisms attributable to human wastes. Also, the surface water fecal coliform concentration based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 20/100 ml, nor shall more than 10 percent of total samples during any 30-day period exceed 40/100 ml. In ground waters, the median concentration of coliform organisms over any seven-day period shall be less than 2.2/100 ml.
- n. Pesticides - The summation of concentrations of total identifiable chlorinated hydrocarbons, organophosphates, carbamates, and other pesticide and herbicide groups, in all waters of the basin, shall not exceed the lowest detectable levels, using the most recent detection procedures available. There shall be no increase in pesticide concentrations found in sediments or aquatic life.
- o. Chemical Constituents - Ground and surface waters shall not contain concentrations of chemical constituents in excess of the limits specified in California Code of Regulations, Title 22, Chapter 15, Article 4, Section 64435, Tables 2 and 4.
- p. Toxic Pollutants - The concentrations of toxic pollutants in the water column, sediments, or biota shall not exceed levels which adversely affect the water for beneficial uses. The discharge shall not cause acute or chronic toxicity in ambient waters.

B. General Requirements and Prohibitions

1. The discharge of treated or untreated domestic sewage, industrial waste, garbage or other solid wastes, or any other deleterious material to the surface waters of the Truckee River Hydrologic Unit is prohibited.
2. The discharge, attributable to human activities, of solid or liquid waste materials, including soil, silt, clay, sand, and other organic and earthen materials, to the surface waters of the Truckee River Hydrologic Unit is prohibited.



3. The discharge, attributable to human activities, of solid or liquid waste materials including soil, silt, clay, sand, and other organic and earthen materials within the 100-year flood plain of the Truckee River is prohibited.
4. The threatened discharge, attributable to human activities, of solid or liquid waste materials including soil, silt, clay, sand, and other organic and earthen materials, due to placement of said materials with the 100-year flood plain of the Truckee River or any tributary to the Truckee River is prohibited.
5. The discharge of waste except to the designated disposal site is prohibited.
6. The disposal site shall be protected from inundation, washout, or erosion of wastes, and erosion of covering materials, resulting from a storm or a flood having a recurrence interval of once in 100 years.
7. Surface drainage from tributary areas, and internal site drainage from surface or subsurface sources shall not contact or percolate through Class 3 wastes discharged at the site.
8. The exterior surfaces of the disposal site shall be graded to promote lateral runoff of precipitation and to prevent ponding.
9. Water used for dust control during disposal site operations shall be limited to a minimal amount. A "minimal amount" may be defined as an amount which does not allow runoff to occur.
10. Wastes other than inert wastes shall not be placed in ponded water from any source whatsoever.
11. No hazardous or designated wastes shall be deposited at this site.
12. No nonbiodegradable chemical toilet wastes or septage may be accepted at the site.
13. Signs must be posted which warn the public of the presence of sewage sludge.
14. The discharge of wastes in a manner that does not maintain the five foot soil separation between the wastes and the seasonal high ground water elevation is prohibited.
15. Treated sewage sludge discharged to the site shall have a solids content of 20 percent or greater.

16. Prior to discharging waste to a new cell, the Discharger must submit complete plans for the new cell to the Regional Board for approval by the Executive Officer. The discharge of waste to a new cell not approved by the Executive Officer is prohibited.
17. The discharge of waste shall not cause a nuisance or pollution, as defined in Section 13050 of the California Water Code, or threatened pollution.
18. The discharge of solid waste, liquid waste, or leachate to the ground water is prohibited.
19. The Landfill shall be operated in compliance with the Classification and Siting Criteria, pertaining to existing Class III landfills, specified in Section 2530 (Classification and Siting Criteria), 2533 (Class III: Landfills for Nonhazardous Solid Waste), Chapter 15. The Landfill shall also be operated in compliance with the requirements for Municipal Solid Waste Landfills (MSWLFs) specified in § 258.11 and 258.12 (Floodplains), § 258.12 (Wetlands), § 258.15 and 258.16 (Unstable Areas), and § 258.28 (Liquids Acceptance), Subtitle D, by October 9, 1993.
20. The Landfill shall be in compliance with the Construction Standards, pertaining to Class III landfills, specified in Section 2540 (General Construction Criteria), Section 2541 (General Criteria for Containment Structures), 2544 (Interim Cover), 2546 (Precipitation and Drainage Controls), and 2547 (Seismic Design), Chapter 15. The Landfill shall also be in compliance with § 258.40 (Design Criteria), Subtitle D, by October 9, 1993.
21. The Landfill shall be provided with water quality monitoring as required in Section 2550.7(b) (Ground Water Monitoring System), 2550.7(d) (Unsaturated Zone Monitoring System) and Section 2550.7(e) (General Monitoring Requirements), Chapter 15. Monitoring at the Landfill shall also comply with § 258.51 (Well/Piezometer Performance), § 258.54 and Appendix I to Part 258 (Monitoring Parameters), § 258.55 and Appendix II to Part 258 (Constituents of Concern), § 258.55(g)(1)(ii,iii) (Response to a Release), § 258.56(c,d) and 258.57 (Establishing Corrective Action Measures), and § 258.58(e) (Ending Corrective Action Program), Subtitle D, by October 9, 1993.

22. All facilities used for collection, conveyance, or storage of petroleum contaminated soil shall be adequately protected against overflow, washout, inundation, structural damage or a significant reduction in efficiency resulting from a storm or flood having a recurrence interval of once in 100 years as required in Section 2532(c), Chapter 15 and in § 258.11 and 258.16, Subtitle D.
23. During the winter months, the disposal activity shall be confined to the smallest area possible based on the anticipated quantity of wastes and operation procedures.
24. At closure, all facilities must be closed in accordance with Article 8 (Closure and Post-Closure Maintenance), Chapter 15. Closure must also meet the provisions of § 258.60-258.61 (Closure/post-closure Plan), § 258.60(i) (Deed Notation), and § 258.61(a,b) (Ending Post-closure), Subtitle D.

## II. PROVISIONS

### A. General

1. Board Order Number 6-84-114 is hereby rescinded.
2. The Discharger shall comply with "Standard Provisions", as shown in Attachment "C", which is made a part of this Order.
3. The Discharger must provide and maintain funds, in an amount and manner acceptable to the Regional Board, to ensure that funds are available for closure and post-closure maintenance as required in Section 2580(f), Chapter 15, and to complete corrective action for all known or reasonably foreseeable releases as required in Section 2550.0(b), Chapter 15. At this time, the Regional Board will consider funds required by the CIWMB as sufficient for closure and post-closure maintenance. The Board reserves the right to request additional funds, as necessary, to ensure closure of the site in a manner to protect water quality.

### B. Compliance Schedule

#### 1. Leachate Disposal

Prior to disposal of any leachate, the Discharger shall test the leachate to determine the appropriate method of treatment/disposal.

2. Sludge Disposal

Sludge disposal at the Landfill must comply with the provisions of Chapter 15 by October 9, 1993.

3. Classification and Siting Criteria

The Landfill shall be operated in compliance with the Classification and Siting Criteria specified in Sections 2530 and 2533 of Chapter 15 by October 9, 1993. In addition, the Landfill shall be operated in compliance with the requirements for Municipal Solid Waste Landfills specified in Sections 258.11, 258.12, 258.15, 258.16, and 258.28 of Subtitle D by October 9, 1993.

4. Construction Standards

The Landfill shall be in compliance with the Construction Standards specified in Sections 2540, 2541, 2544, 2546, and 2547 of Chapter 15 by October 9, 1993. In addition, the Landfill shall be in compliance with the Design Criteria specified in Section 258.40 of Subtitle D by October 9, 1993.

5. Monitoring Requirements

The Landfill shall be provided with water quality monitoring as required in Sections 2550.7(b), (d), and (e) of Chapter 15 by October 9, 1993. In addition, monitoring at the Landfill shall comply with Sections 258.51, 258.54, Appendix I, 258.55, Appendix II, 258.55(g)(1)(ii,iii), 258.56(c,d), 258.57, and 258.58(e) of Subtitle D by October 9, 1993.

C. Monitoring and Reporting

1. Pursuant to the California Water Code Section 13267(b), the discharger shall comply with the Monitoring and Reporting Program No. 93-55 as specified by the Executive Officer.
2. The Discharger shall institute a Detection Monitoring Program as required in Section 2550.1(a)(1), Chapter 15.
3. The Discharger shall establish an Evaluation Monitoring Program whenever there is evidence of a release as required in Section 2550.1(a)(2) or (3), Chapter 15.
4. The Discharger shall institute a Corrective Action Program when required by the Regional Board pursuant to Section 2550.1(a)(4), Chapter 15, and pursuant to § 258.58(e), Subtitle D.

5. Prior to conducting any water quality sampling pursuant to Monitoring and Reporting Program No. 93-55, the Discharger shall prepare and submit a Quality Assurance/ Quality Control Plan (QA/QC Plan) for sampling and laboratory procedures.
6. The preliminary closure and post-closure maintenance plan shall be updated if there is a substantial change in operations, and a report shall be submitted annually indicating conformance with existing operations. A final plan shall be submitted at least 180 days prior to beginning any partial or final closure activities or at least 120 days prior to discontinuing the use of the site for waste treatment, storage or disposal, whichever is greater. The final plan shall be prepared by or under the supervision of either a California registered civil engineer or a certified engineering geologist.
7. If the Discharger intends to expand the capacity of the facility, a report shall be filed no later than 90 days after the total quantity of waste discharged at this site equals 75 percent of the reported capacity of the site. The report shall contain a detailed plan for site expansion. This plan shall include, but is not limited to a time schedule for studies design, and other steps needed to provide additional capacity. If site expansion is not undertaken prior to the site reaching the reported capacity, the total quantity discharged shall be limited to the reported capacity.
8. A copy of this Order and the Monitoring and Reporting Program shall be available at all times at the facility site for immediate reference by the facility supervisor.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on June 10, 1993.

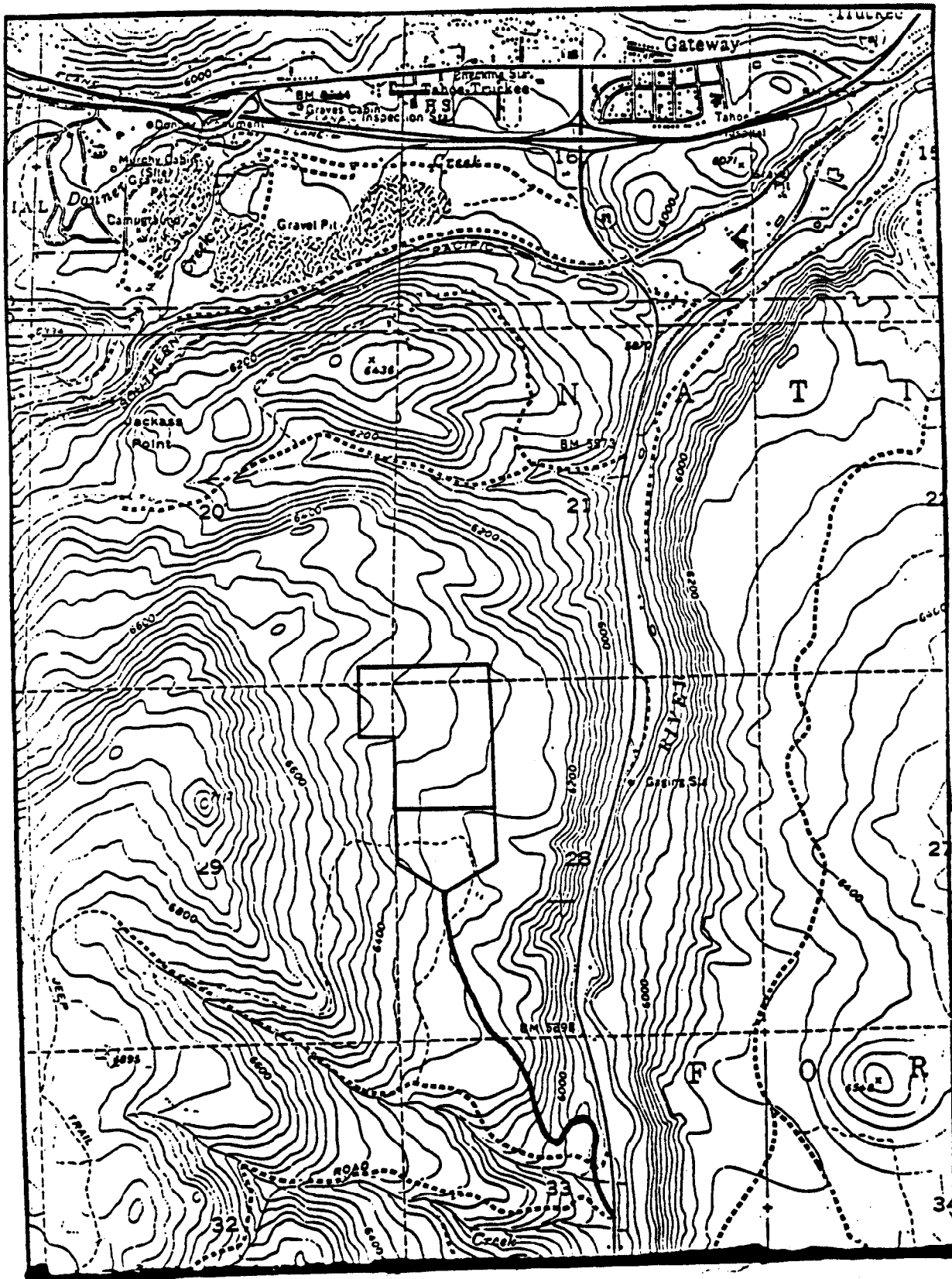


HAROLD J. SINGER  
EXECUTIVE OFFICER

Attachments:

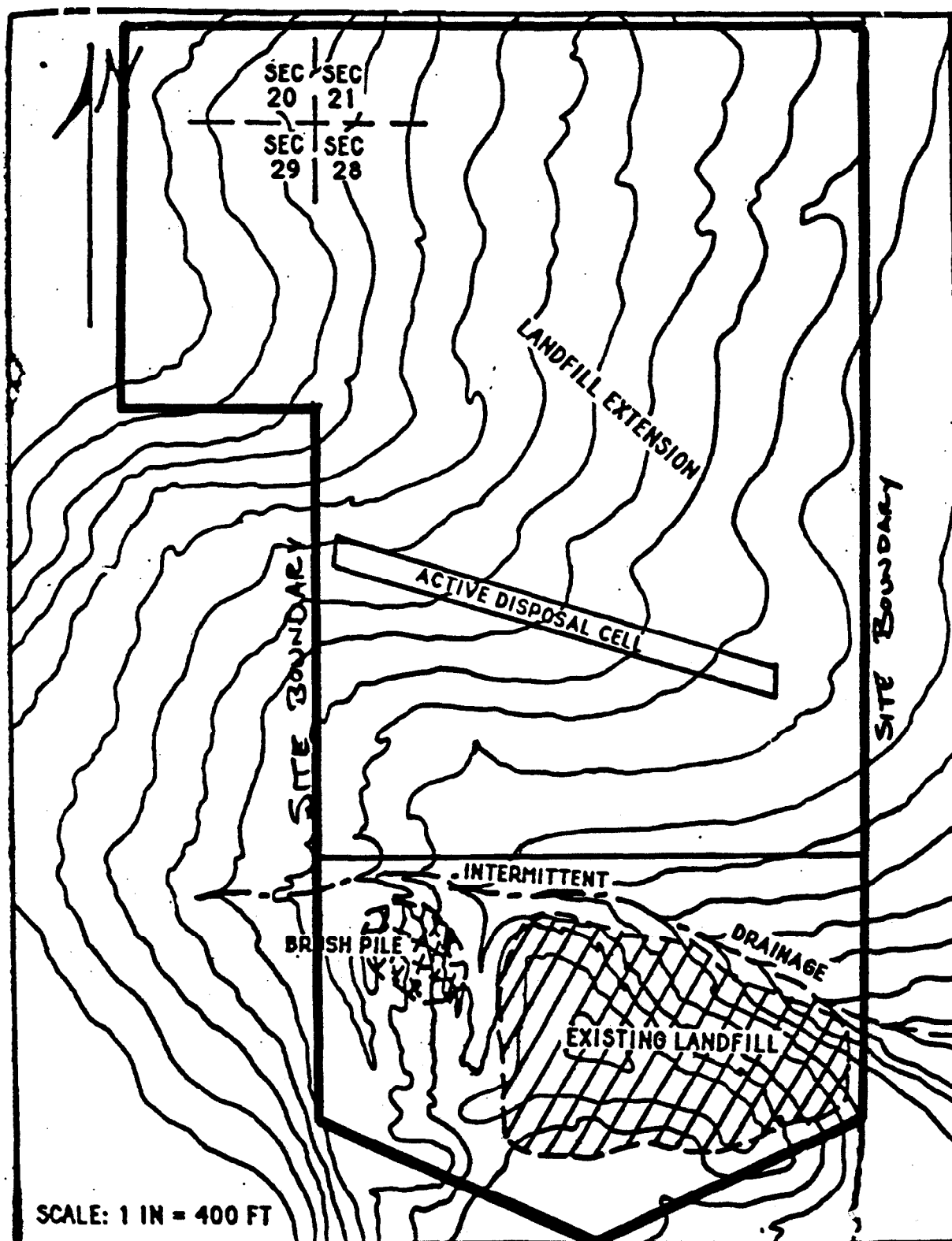
- A. Landfill Location Map
- B. Landfill Site
- C. Standard Provisions

ATTACHMENT A



Placer County Dept. of Public Works  
 Eastern Regional Landfill  
 Placer County  
 Portions of Sections 20, 21, 28, and 29  
 T.17N., R.16E., MDB&M

ATTACHMENT B



Detailed topography of the Eastern Regional Landfill Site, Placer County,  
California

Attachment "C"

STANDARD PROVISIONS

1. Definitions

"Surface waters" and "receiving waters", as used in this Order, include, but are not limited to, live streams, either perennial or ephemeral, which flow in natural or artificial water courses, and natural lakes and artificial impoundments of waters.

2. Inspection and Entry

The Dischargers shall permit the Regional Board staff:

- a. to enter upon premises in which an effluent source is located or in which any required records are kept;
- b. to access and copy any records required to be kept under terms and conditions of this Order;
- c. to inspect monitoring equipment or records; and
- d. to sample any discharge.

3. Reporting Requirements

- a. Pursuant to California Water Code 13267, the Dischargers shall immediately notify the Board by telephone whenever an adverse condition occurs as a result of this discharge; written confirmation shall follow within two weeks. An adverse condition includes, but is not limited to, serious violation or serious threatened violation of waste discharge requirements, significant spills of petroleum products or toxic chemicals, or damage to control facilities that could affect compliance.
- b. Pursuant to California Water Code 13267 any proposed material change in the character of the waste, manner or method of treatment or disposal, increase of discharge, or location of discharge, shall be reported to this Board at least 90 days in advance of implementation of any such proposal. This shall include, but not be limited to, all significant soil disturbances, all proposed expansion projects, increase in impervious surface coverage, any change in drainage characteristics at the facility, use of snowmaking additives or use of snow conditioners.



- c. The owners of property subject to waste discharge requirements shall be considered to have a continuing responsibility for ensuring compliance with applicable waste discharge requirements in the operations or use of the owned property. Any change in the ownership and/or operation of property subject to waste discharge requirements shall be reported to the Board. Notification of applicable waste discharge requirements shall be furnished to the new owners and/or operators. A copy of such notification shall be sent to the Board.
  - d. Pursuant to California Water Code Section 13267, the Dischargers shall report all instances of noncompliance with the requirements of this permit in writing to the Board. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. Any noncompliance that may endanger health or the environment shall be reported orally as soon as the Dischargers become aware of the circumstances, and the written report shall be provided within 14 days of that time. The Executive Officer may waive the above-required written report.
  - e. When the Dischargers become aware that any information submitted to the Board contained incorrect information, the Discharger shall immediately correct that information.
  - f. Reports required by this Order, and other information requested by the Board, must be signed by a duly authorized representative of the Discharger.
4. Right to Revise Order
- The Board reserves the privilege of changing all or any portion of this Order upon legal notice to and after opportunity to be heard is given to all concerned parties.
5. Variance to Seasonal Construction Deadlines
- A written variance to the ground disturbance dates in the Best Management Practices may be granted by the Executive Officer where in his judgment it can be demonstrated that granting of such a variance would not degrade water quality.
6. Duty to Comply
- The Dischargers must comply with all the conditions of this Order. Failure to comply with this Order may constitute a violation of the California Water Code and may be grounds for enforcement action or for Order termination, revocation and reissuance, or modification.

7. Duty to Mitigate

The Dischargers shall take all reasonable steps to minimize or prevent any discharge in violation of this Order which has a reasonable likelihood of adversely affecting human health or the environment.

8. Proper Operation and Maintenance

The Dischargers shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Dischargers to achieve compliance with this Order. Proper operation and maintenance includes adequate laboratory control, where appropriate, and appropriate quality assurance procedures. This provisions requires the operation of backup or auxiliary facilities or similar systems that are installed by Dischargers only when necessary to achieve compliance with the conditions of this Order.

9. Order Actions

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Dischargers for an Order modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any of the Order conditions.

10. Property Rights

This Order does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

11. Enforcement

The California Water Code provides for civil liability and criminal penalties for violations or threatened violations of this Order, including imposition of civil liability or referral to the Attorney General.

12. Availability

A copy of this Order shall be maintained at the facility where feasible and be available at all times to operating personnel.

13. Severability

Provisions of these waste discharge requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected.

14. Transfers

Providing there is no material change in the operation of the facility, this Order may be transferred to a new owner or operator. The owner/operator must request the transfer in writing and receive written approval from the Board's Executive Officer.